STUDENT ID NO

MULTIMEDIA UNIVERSITY

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FINAL EXAMINATION

TRIMESTER 1, 2020/2021

ULM1612 – LEGAL METHOD

(All Sections / Groups)

24 OCTOBER 2020
Reading Time: 9.00am-9.15am

Answering Time: 9.15am – 12.15pm
(3 Hours)

INSTRUCTIONS TO STUDENT

1. Students will have **fifteen minutes** during which they may read the paper and make rough notes ONLY in their question paper. Students then have the remaining **THREE HOURS** in which to answer the questions.

2. This Question paper consists of 2 pages with 5 Questions only.

3. Attempt **FOUR** out of FIVE questions. All questions carry equal marks and the distribution of the marks for each question is given.

4. Students are not allowed to bring any statute into the exam venue

5. Please write all your answers in the Answer Booklet provided.

PART A:
ANSWER ALL THE QUESTIONS

QUESTION 1

To have a clear and complete understanding of law, it is essential to understand both the sources; and the classification of law. Compare and contrast between the two with specific examples or cases (if any).

(Total: 25 marks)

QUESTION 2

Find the case of *Public Proseccutor v Velory AK Libong* [2005] MLJU 407, answer the following questions:

(a) Name the contesting parties in this case.

(1 mark)

(b) What is the main statutory provision considered in this case?

(2 marks)

(c) What is the main issue to be resolved in this case?

(2 marks)

(d) What was the rule of statutory interpretation adopted by the court in resolving the conflict arising in this case?

(3 marks)

(e) What was the final decision of this court?

(2 marks)

(f) In your opinion, why did the court in this case adopt such a rule? Explain your answer.

(5 marks)

(g) Cases become precedents when they establish a legal rule. In your opinion, what were the legal rules established in this case. Justify your answer with the legal arguments delivered by the judge.

(10 marks)

(Total:25 marks)

Continued...

QUESTION 3

Ali, age 13 years old ran away from home on 10/9/2020. His father Abu, posted a status on his Facebook offering a reward of RM10,00.00 for Ali's return. He deposited the said amount with Bank ABC Bhd. Rudy was checking his Facebook when he saw this notification. He did not think much of it. On 15/9/2020, Rudy was on his way home from work when he saw Ali wandering around at the MRT Station. He approached Ali, introduced himself and told him that Ali's father was searching for him. Rudy persuaded Ali to go home. Ali agreed. Rudy took Ali home. Abu was happy to see Ali. Rudy reminded Abu of the reward. Abu refused to pay since the posting was not a contract. Rudy comes to you for advice.

Based on the above facts, prepare a persuasive argument to support Rudy's claim for the reward from Abu.

(Total: 25 marks)

PART B:

ANSWER ANY ONE (1) QUESTION ONLY

QUESTION 4A

Judges are generally bound by precedents and are only allowed to depart from precedents in limited situations. Briefly discussed the importance of the doctrine of precedent and explain the situations where judges are allowed to depart from precedent. Illustrate your answer with decided cases.

(Total: 25 marks)

QUESTION 4B

Lord Diplock in the case of *Duport Steels Ltd v Sirs* [1980] 1 All ER 529, at 541 said:

> "Where the meaning of the statutory words is plain and unambiguous it is not then for the judges to invent fancied ambiguities as an excuse for failing to give effect to it's plain meaning because they consider the consequences for doing so would be inexpedient or even unjust or immoral."

Do you agree with the statement? Justify your answer with case law.

(Total: 25 marks)

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